



PLANNING BOARD

Report to Town Meeting

~ DRAFT ~

ARTICLE MUNICIPAL PARKING DISTRICT EXPANSION

To see if the Town will amend the Official Zoning Map to increase the boundary of the Municipal Parking District (MPD) to include the entirety of the town center General Business (B-G) District and abutting Limited Business (B-L) districts north of Kellogg Avenue and Cowles Lane, along with the following properties in the General Residence (R-G) District:

- All of those properties north of Cowles Lane that are bounded on the west by North Prospect Street and on the north by Hallock Street
- On the north side of Kellogg Avenue, the following properties: Assessors Map 11C, Parcels 291, 292, 293, and 294
- All of the properties comprising Kendrick Park
- The northern portions of Assessors Map 11C, Parcels 265 and 322, and Map 11D, Parcel 42.

Recommendation

The Planning Board voted 4-1 to recommend that Town Meeting adopt Article 7.

Background

Last May, the 2008 Annual Town Meeting amended the Municipal Parking Zone—a longstanding ‘zone’ established only in the language of the Zoning Bylaw—creating it as a formal overlay zoning district, and made several minor clarifying amendments to the provisions of that district.

During the public meetings of the Planning Board’s Zoning Subcommittee in which that MPD overlay district amendment was developed, during the Board’s public hearing on the amendment, and at Town Meeting, there were citizen requests to the Planning Board to extend the MPD to the rest of the downtown—i.e., to include the northern end. This amendment seeks to accomplish that task.

The purpose of the Municipal Parking District is laid out in Section 7.42 of the Zoning Bylaw:

... to encourage the dense development of mixed use buildings and pedestrian spaces in Amherst Town Center. Toward that end, provision of off-street parking is not required for selected uses within the MPD District.

This purpose is consistent with the community's increased emphasis on denser, sustainable development in our centers—the 'village center' concept strongly supported in the community planning process and described in the draft Master Plan.

Since the late 1950s, the MPD has supported this policy by relieving selected downtown uses from the requirement to provide parking. This frees up some surface area of downtown properties so that those areas can be covered with buildings or pedestrian uses, instead of parking lots.

The following categories of downtown uses are exempted from meeting parking requirements in the MPD:

Section 3.32, Residential Uses (with certain exceptions—see below)
Section 3.35, Retail Business & Consumer Service Uses
Section 3.37, Research & Industrial Uses

The following uses and categories of use must still meet the parking requirements of the Zoning Bylaw in the downtown MPD:

Section 3.31, Extensive Uses (farming, land-based activities—unlikely in downtown)
Section 3.32, Residential Uses – dormitory/college residence hall, hotel or motel, and inn
Section 3.33 Institutional Uses (non-profit, educational, etc.)
Section 3.35, Government & Public Service Uses
Section 3.38, Motor Vehicle Related Uses

What Article 7 Would Do

This rezoning amendment proposes to expand the geographic area of the downtown Municipal Parking District north of its current boundary along Kellogg Avenue and Cowles Lane, to encompass the following areas:

- The remaining General Business (B-G) and abutting Limited Business (B-L) districts in the northern end of the downtown.
- Abutting residential areas—east of North Prospect and south of Hallock Street, and four properties north of Kellogg Avenue.
- The properties comprising Kendrick Park.

Why Include Residential Properties? - The MPD has included residential properties outside of the downtown business districts since the 1950s. The current MPD includes the 80 unit Ann Whalen Apartments and the 100 unit Clark House in Boltwood Walk, several residential properties on Spring

Street, a couple of mixed use properties on North and South Prospect Street, and a number of college residence halls.

The proposed expansion of the MPD would include four residential rental properties on the north side of Kellogg Avenue (directly north of the Ann Whalen Apartments), and eleven residential properties east of North Prospect Street and south of Hallock Street. There are two single family residences in this area, but it is otherwise heavily dominated by multi-family rental properties, including the Halcourt Gardens apartment complex.

As has been seen in the Boltwood Walk area, over time, properties immediately abutting the downtown can be redeveloped, recombined, and reconfigured under existing residential zoning regulations so that additional residential units are provided and parking provided in more sensible and accessible ways. The MPD does not change the regulations of the underlying General Residence (R-G) District in these areas, except by removing the requirement to provide a given number of parking spaces. All other R-G dimensional and use regulations would remain in place.

Kendrick Park - Article 7 proposes to include the properties comprising Kendrick Park in the MPD. The purpose of this is to alleviate any public uses proposed in the final park plan from providing on-site parking. Any parking needed to support the park should occur in the adjacent public ways, or off-site.

Flexibility & the Need for New Parking

The Zoning Bylaw establishes base levels of parking required for different kinds of uses throughout Amherst. Retail and other business uses must provide a certain number of spaces per square foot. Restaurant parking is provided on the basis of the number of seats. And no matter where you are in Amherst, two parking spaces are supposed to be provided for every new dwelling unit. But the same uses in different settings can have different parking requirements. A downtown apartment over a store may need only one parking space, or none, depending on the tenant. The Municipal Parking District allows the number of parking spaces provided to more accurately match the actual parking need of the proposed new use.

The MPD exempts some new uses from providing parking that would otherwise be required. It does not prohibit or limit new parking. New development or redevelopment projects need to include sufficient parking for their proposed uses, in order to obtain project financing from cautious banks and to be functionally and financially successful. What the MPD overlay would allow is greater flexibility in how much parking has to be provided on-site. If a property is immediately adjacent to public or private parking to which the new or expanded use has access, then a developer could choose to provide less parking and instead create more building or pedestrian space on-site. If there is little or no other parking in the vicinity, then it would be in the interest of the developer to provide their own parking, based on the needs of the proposed uses.

Public Hearing

The Planning Board held a public hearing for Article 7 on March 18, 2009.

Planning Board member Denise Barberet said that while she had no concerns with extending the Municipal Parking District to the General Business and Limited Business zoning districts in the north end of the downtown, she didn't think it should be extended into the General Residence zone, particularly the Hallock/North Prospect Street area. North Prospect is a very narrow residential street, she said, and greater density would not be appropriate there. She was concerned that there was already insufficient parking in that area, and the proposed rezoning could make things worse by creating new residential units for which no new parking was provided.

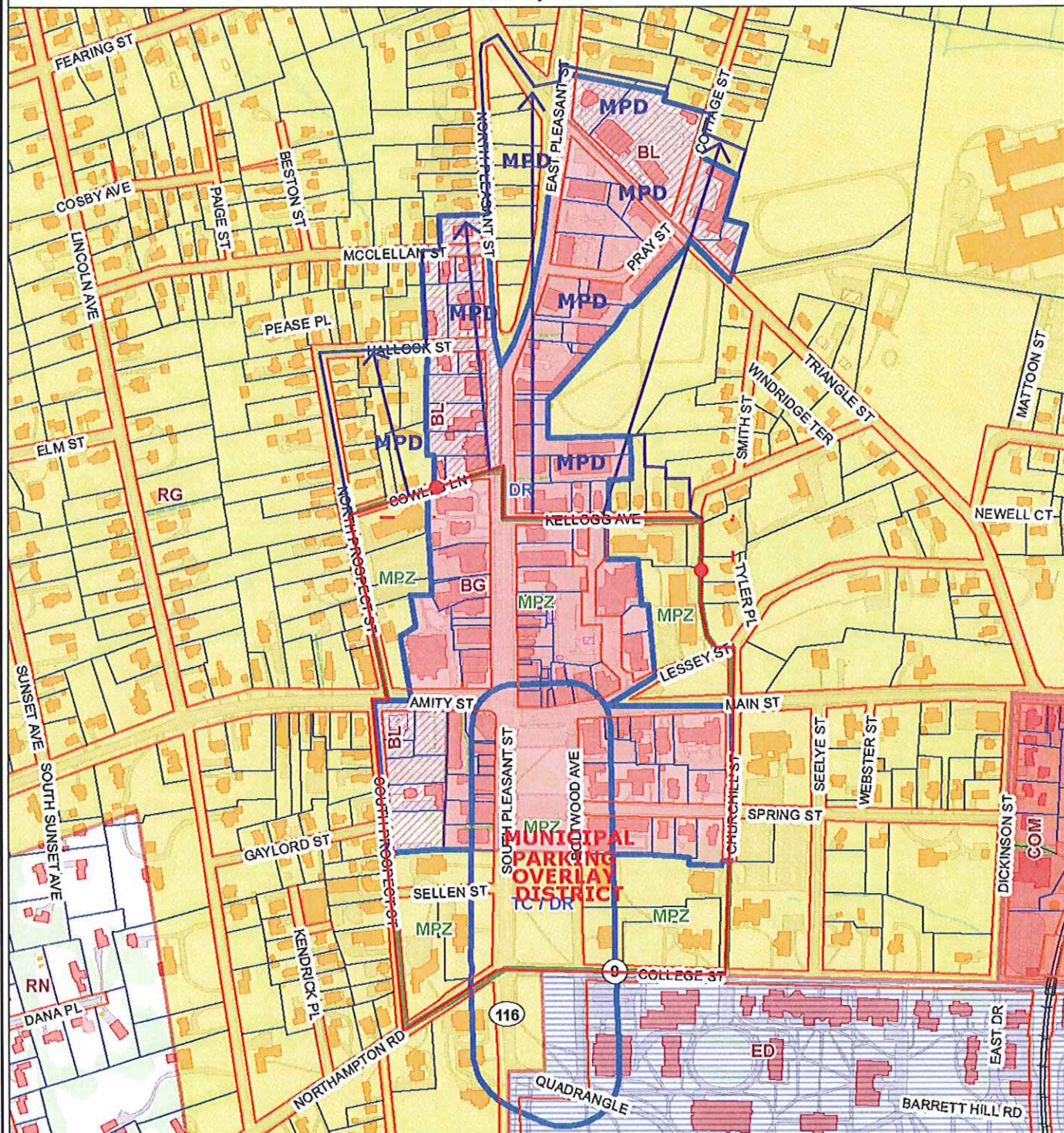
Board member Eduardo Suarez said that he would rather not see more parking, and supports greater development density in and around the downtown as a more sustainable approach.

Amherst College student Mark Connelly asked for clarification about parking requirements, the decision-making process, permitting, and levels of flexibility.

Board member Jonathan O'Keeffe responded that the same parking regulations currently apply everywhere. This may result in more parking than is necessary, he said, and having more flexibility could allow greater density of buildings (rather than surface parking) in those areas deemed appropriate.

Planning Director Jonathan Tucker indicated that the other existing use and dimensional regulations in zoning districts underlying the MPD would still apply. The MPD would simply allow for greater flexibility in the way that parking is dealt with. Under a Special Permit, the ZBA could impose parking requirements even in the MPD. Under a by-right Site Plan Review approval, the Planning Board could negotiate with a developer about how to meet a project's parking needs, but it could not require that they provide a specific amount of parking.

After further discussion, the Board voted 4-1 to recommend that Town Meeting adopt Article 7.



Zoning Map

- Zone Overlay
- Other Regulated Areas
- Design Review Board Jurisdiction
- Municipal Parking Zone

Zoning

- R-LD: Low Density Reside
- R-F: Fraternity Residence
- R-O: Outlying Residence
- R-N: Neighborhood Resid
- R-VC: Village Center Resi
- R-G: General Residence
- B-VC: Village Center Busi
- B-L: Limited Business
- B-G: General Business
- OP: Office Park
- COM: Commercial
- PRP: Professional & Rese
- LI: Light Industrial
- ED: Educational
- FPC: Flood-Prone Conser

1" = 500 ft

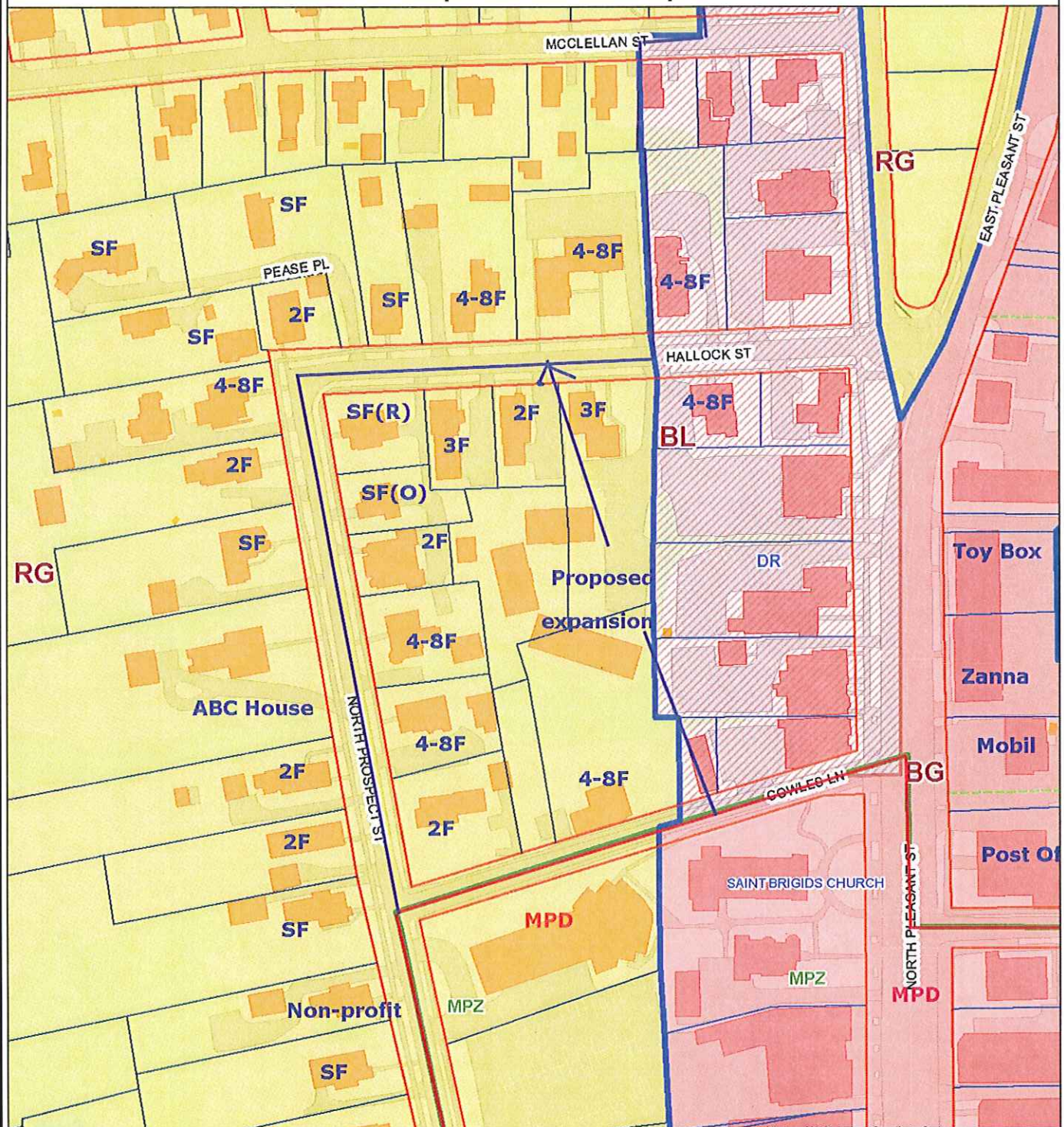


Horizontal Datum: MA Stateplane Coordinate System,
Zone 4151, Datum NAD83, Feet

Planimetric basemap features compiled at 1"=40' and
1"=100' scale from April, 1999 Aerial Photography.
Aerial Photography: April, 2004. Parcels compiled through
a "best-fit" methodology to match the basemap; revisions
are ongoing.

The information depicted on this map is for planning
purposes only. It may not be adequate for legal boundary
definition, regulatory interpretation, or property
conveyance purposes. Utility structures and underground
utility locations are approximate and require field
verification.

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Zoning Map

- Zone Overlay
- Other Regulated Areas
- Design Review Board Jurisdiction
- Municipal Parking Zone

Zoning

- R-LD: Low Density Reside
- R-F: Fraternity Residence
- R-O: Outlying Residence
- R-N: Neighborhood Reside
- R-VC: Village Center Reside
- R-G: General Residence
- B-VC: Village Center Busi
- B-L: Limited Business
- B-G: General Business
- OP: Office Park
- COM: Commercial
- PRP: Professional & Rese
- LI: Light Industrial
- ED: Educational
- FPC: Flood-Prone Conser

1" = 150 ft



Horizontal Datum: MA Stateplane Coordinate System,
Zone 4151, Datum NAD83, Feet

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MPD Expansion - Kellogg Ave.



- Zoning Map**
- Zone Overlay
 - Other Regulated Areas
 - Design Review Board Jurisdiction
 - Municipal Parking Zone
 - Zoning
 - R-1: Low Density Residential
 - R-2: Medium Density Residential
 - R-3: Neighborhood Residential
 - R-4: Village Center Residential
 - R-5: General Residential
 - B-1: Limited Business
 - B-2: General Business
 - OP: Office Park
 - CO: Commercial
 - PP: Professional & Retail
 - ED: Light Industrial
 - FD: Heavy Industrial
 - FF: Flood-Prone Conser

Horizontal Datum: MA Stateplane Coordinate System, Zone 4151, Datum NAD83, Feet

Planimetric base map features compiled at 1"=40' and Aerial Photography: April, 1999 Aerial Photography. Aerial Photography: April, 2004. Parcels compiled through a "best-fit" methodology to match the base map, revisions are ongoing.

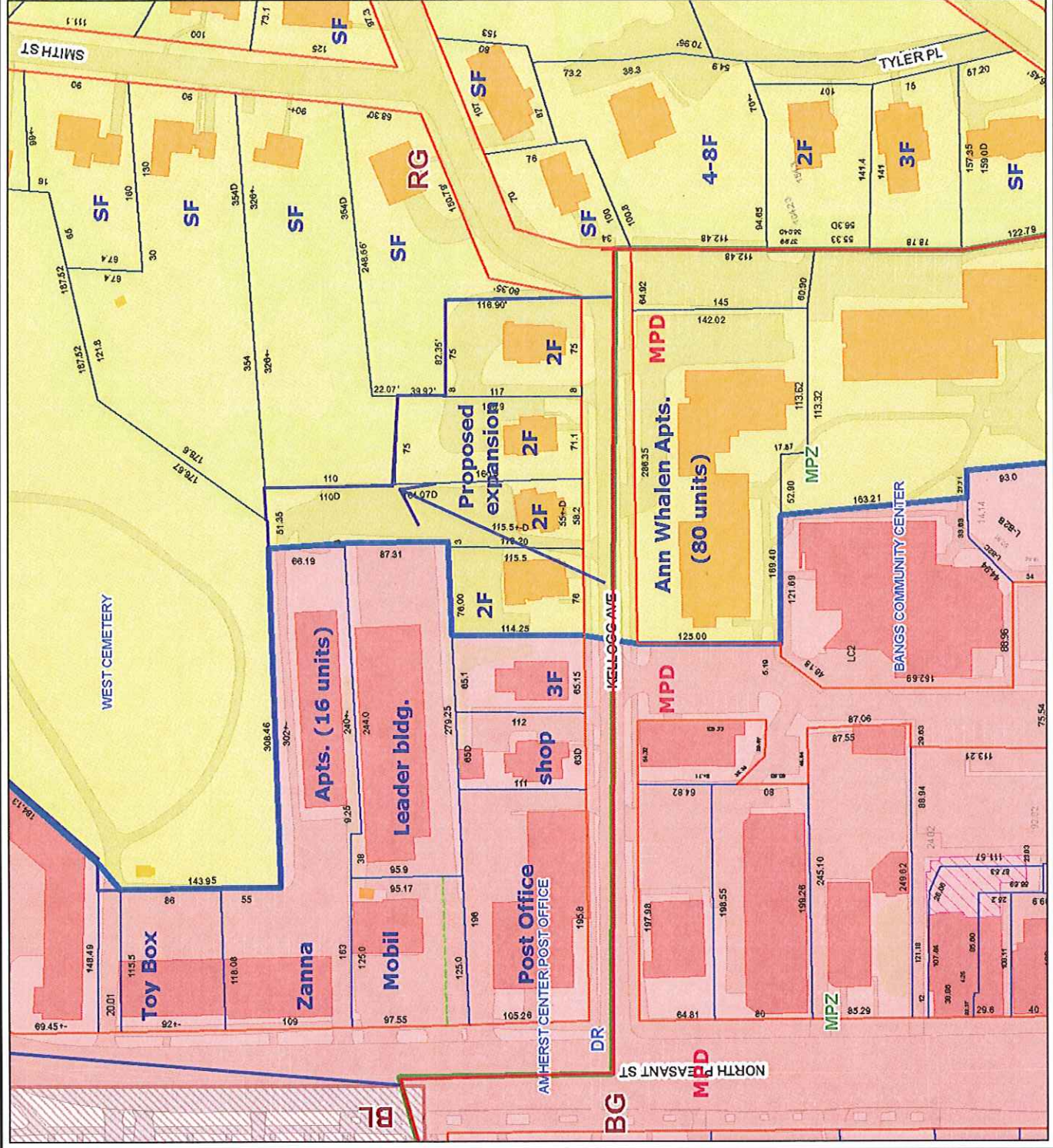
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1" = 120 ft



Amherst GIS Viewer February 11, 2009



MPD Expansion - North D'town



- Zoning Map**
- Zone Overlay
 - Other Regulated Areas
 - Overlaid Regulatory Board Jur
 - Municipal Parking Zone
- Zoning**
- D: Low Density Reside
 - R-F: Fraternity Residence
 - R-C: Outlying Residence
 - R-N: Neighborhood Resid
 - R-V: Village Center Resid
 - R-G: General Residence
 - B-V: Village Center Bual
 - B-L: Limited Business
 - B-G: General Business
 - OP: Office Park
 - COM: Commercial
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Horizontal Datum: MA Stateplane Coordinate System, Zone 4151, Datum NAD83, Feet

Planimetric base map features compiled at 1"=40' and 1"=100' scales from April 1989, 1999, and 2004. Photogrammetry Aerial Photography April, 2004. Parcel map compiled through a "best-fit" methodology to match the base map; revisions are ongoing.

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1" = 180 ft



Amherst GIS Viewer February 11, 2009

